

The following draft terms of registration apply to XtendiMax with VaporGrip Technology (EPA File Symbol 264-RERN):

General Terms

1. The registration will expire on December 20, 2025.

Herbicide Resistance Management Plan

2. You must maintain, update and follow an Herbicide Resistance Management Plan (HRM) as described in Appendix D regarding grower agreements, field detection and remediation, education, evaluation, reporting, and best management practices (BMPs).

Tank Mixing, Spray Drift, and Volatility-Reduction Adjuvant Requirements

3. You must maintain a website at <http://XtendiMaxapplicationrequirements.com>. That website will include a list of products that have been tested pursuant to Appendix A and found, based upon such testing, not to adversely affect the spray drift properties of XtendiMax with VaporGrip Technology. The website will identify a testing protocol, consistent with Appendix A, that is appropriate for determining whether the tested product will adversely affect the drift properties of XtendiMax with VaporGrip Technology. The website must state that any person seeking to have a product added to the list of approved tank mix partners must perform a study either pursuant to the testing protocol identified on the website or another protocol that has been approved for the particular purpose by EPA, and must submit the test data and results, along with a certification that the studies were performed either pursuant to the testing protocols identified on the website or pursuant to another protocol(s) approved by EPA and that the results of the testing support adding the product to the list of products tested and found not to adversely affect the spray drift properties of XtendiMax with VaporGrip Technology, to Bayer. Bayer will determine whether the testing and results conform to the conditions prescribed in this protocol and, depending on the test conditions and results, will either post the product on the website at <http://XtendiMaxapplicationrequirements.com> or notify the third-party entity that the product did not meet the requirements for posting. Once notified by a third party, you will add appropriately certified products to the list no more than 90 days after you receive such notice. Testing of tank-mix products must be conducted in compliance with procedures as stated forth in Appendix A.
4. All test data relating to the impact of tank-mixing any product with XtendiMax with VaporGrip Technology on drift properties of XtendiMax with VaporGrip Technology generated by you or somebody working for you or submitted to Bayer by a third party, along with a certification indicating whether the study was performed either pursuant to the testing protocols identified on the website or pursuant to other protocols approved by EPA and whether the results of the testing support adding the product to the list of products tested and found not to adversely affect the spray drift properties of XtendiMax with VaporGrip Technology, must be retained by Bayer. Any and all such records must be submitted to the EPA's Office of Pesticide Programs upon request.
5. The prohibition of using products in a tank-mix with XtendiMax with VaporGrip Technology unless the product used is contained on the list <http://XtendiMaxapplicationrequirements.com>, and the identification of the website address, shall be included in educational and information materials developed for Bayer, including the materials identified in Appendix D, Section B(1).
6. Testing of any volatility-reduction adjuvant must be conducted in compliance with procedures as set forth in Appendices A and E. Any potential volatility-reduction adjuvant must demonstrate passing results for both wind tunnel testing as set forth in Appendix A and humidome testing set forth in Appendix E.

7. Bayer must maintain a Volatility-Reduction Adjuvant tab (may also be called Volatility Reduction Agent, pH-Buffering Adjuvant, or pH-Buffering Agent) on the website at <http://XtendiMaxapplicationrequirements.com>. The website must identify testing protocols, consistent with Appendices A and E. Products that have been tested pursuant to such testing protocol by Bayer and found, based upon such testing, to meet the passing requirements according to Appendices A and E may be added to the list of approved volatility-reduction adjuvant products on the website tab described above. Bayer must retain copies of all data and analysis from test performed by, or provided to, Bayer based on the Appendix A and E protocols. Upon the Agency's request, copies of such test data and analysis must be submitted to EPA's Office of Pesticide Programs, along with certification indicating whether the study was performed either pursuant to the testing protocols identified on the website or pursuant to other protocols approved by EPA and whether the results of the testing support adding the product(s) to the list of products tested and found to meet the passing requirements of the testing standard in Appendices A and E.
8. If a third party requests the addition of a volatility-reduction adjuvant, at the discretion of Bayer, the registrant will perform wind tunnel and humidone studies pursuant to the testing protocols in Appendices A and F or request the third-party to perform such studies. Should registrant decline to perform testing, the third-party entity or a testing facility on their behalf must perform a study pursuant to the testing protocol identified on the website and must submit to Bayer the test data and results, along with certification that the studies were performed pursuant to the testing protocols identified on the website and that the results of the testing support adding the product to the list of approved volatility-reduction adjuvants for XtendiMax with VaporGrip Technology. Bayer will determine whether the testing and results conform to the conditions prescribed in the protocols and, depending on the test conditions and results, will either post the product on the website at <http://XtendiMaxapplicationrequirements.com> or notify the third-party entity that the product did not meet the requirements for posting. Once notified by a third-party, you will add appropriately certified products to the list no more than 90 days after you receive such notice. Bayer will retain records related to this third-party testing and will supply these records to EPA upon their request.
9. The requirement that an approved volatility-reduction adjuvant must always be tank-mixed with XtendiMax with VaporGrip Technology, and the identification of the website address for <http://XtendiMaxapplicationrequirements.com> containing the list of approved volatility-reduction adjuvants shall be included in educational and information materials developed by or for Bayer, including materials identified in Appendix D, Section B(1).
10. So long as the XtendiMax registration continues to require use of a volatility-reduction adjuvant with every application, Bayer will:
 - a. Take appropriate action(s) to ensure that a sufficient supply of VaporGrip Xtra or any other qualified volatility-reduction adjuvant is in the channels of trade for all XtendiMax applications each year, including quantities of XtendiMax contained in products produced by other registrants. To ensure the supply of qualified volatility-reduction adjuvant is sufficient throughout each season, Bayer will:
 - i. Project and monitor distribution of XtendiMax
 - ii. Monitor available VaporGrip Xtra/ volatility-reduction adjuvant in relevant channels of trade
 - iii. Make available additional supplies if needed to ensure sufficient quantities of VaporGrip Xtra/ volatility-reduction adjuvant are available to allow lawful application of the full quantity of XtendiMax that is available in the channels of trade; and
 - iv. Maintain capacity to produce additional VaporGrip Xtra/ volatility-reduction adjuvants (or to cause more VaporGrip Xtra/ volatility-reduction adjuvants to be produced) whenever any further need is anticipated.
 - b. Make arrangements through appropriate distribution networks to ensure that VaporGrip Xtra or other appropriate volatility-reduction adjuvants are timely available to applicators in all locations where XtendiMax will be applied, before any applicator would apply

XtendiMax. Access to VaporGrip Xtra will either be through the same retail outlets as XtendiMax, or if necessary, in particular locations, available from other readily accessible sources. Registrant will timely make available to every applicator information on where VaporGrip Xtra can be ordered or purchased.

- c. Ensure that all training materials clearly require the mandatory use of VaporGrip Xtra or another volatility-reduction adjuvant with every XtendiMax application. Work with State authorities to ensure that appropriate training occurs before any application of XtendiMax is made.
- d. Registrant Recordkeeping: Bayer will keep records appropriate to document its compliance with its pH buffering adjuvant quantity commitments. Bayer will make records available to EPA upon request.

Enhanced Reporting

Bayer must submit the information identified below to EPA's Office of Pesticide Programs under section 6(a)(2), or under 40 CFR 159.195, unless you have previously submitted that information to EPA's Office of Pesticide Programs. To the extent that this reporting requirement conflicts with or is more narrow than any reporting requirements of section 6(a)(2), 40 CFR part 159, or EPA's letter of March 27, 2020 pursuant to 40 CFR 159.195(c), the broader reporting requirement applies.

11. Information received by telephone or in writing regarding potential damage to non-target vegetation from use of dicamba during the 2021-2025 growing seasons regardless of any determination that the incident resulted from misuse (intentional or accidental). Information must be forwarded to EPA regardless of which dicamba product may have been used and/or whether or not the alleged damage resulted from a product being used according to label directions. Data must be organized by product and state to the extent practicable, and must include all available information regarding acreage involved, plant species involved, severity of damage, date and location (coordinates) of incident, known dicamba applications in vicinity of incident, location of application (coordinates), distance from application to incident, temperature and humidity data at time of application, and similar information received. Incident data must be submitted in narrative form and in a spreadsheet format. This information must be submitted with cumulative totals and be submitted annually by January 15 (beginning by January 15, 2022) and final report with all then available information due September 30, 2025.
12. Information received by telephone or in writing regarding reports of dicamba-resistant weeds, and cases of weed control failure and/or suspected resistance. All information must be forwarded to EPA regardless of which dicamba product may have been used and/or whether or not the alleged resistance occurred after an application made according to label directions. This information must be submitted annually by January 15 (beginning January 15, 2022) and final report with all then available information due September 30, 2025.
13. Any information or analysis finding that foods/commodities contain dicamba residues that are not covered by a tolerance or exceed established tolerance levels. This information must be submitted annually by January 15 (beginning January 15, 2022) and final report with all then available information due September 30, 2025.

Hooded Sprayer Requirement

14. Testing of hooded sprayers must be conducted in compliance with procedures as set forth in Appendix F.
15. If XtendiMax with VaporGrip Technology label provides for a reduced buffer when a qualified hooded sprayer is used, Bayer must maintain a hooded sprayer tab on the website at <http://XtendiMaxapplicationrequirements.com> identifying the qualified hooded sprayers. The website must identify a testing protocol, consistent with Appendix F, that is appropriate for determining whether spray drift of dicamba from the proposed hooded sprayer is equivalent to or less than (*i.e.*,

not statistically greater than) that from the established baseline hooded sprayer in Appendix F. Hooded sprayers that have been tested pursuant to Appendix F by Bayer and found, based upon such testing, to reduce the spray drift of dicamba to a level that is equivalent to or less than that from the established baseline hooded sprayer identified in Appendix F may be added to the list of qualified hooded sprayers on the website tab described above. Bayer must retain copies of all data and analysis from tests performed by, or provided to, Bayer based on the Appendix F protocol. Upon the Agency's request, copies of such test data and analysis must be submitted to EPA's Office of Pesticide Programs, along with certification indicating whether the study was performed pursuant to the testing protocols identified on the website and whether the results of the testing support adding the tested hooded sprayer to the list of products tested and found to result in spray drift of dicamba to a level that is equivalent to or less than that from the established baseline hooded sprayer identified in Appendix F.

16. Additionally, the website must state that any other person or entity seeking to have a hooded sprayer added to Bayer's list of qualified hooded sprayers must contact Bayer prior to any testing for this purpose. At the discretion of Bayer, Bayer will either perform a study pursuant to the testing protocol herein or request the third-party to perform such study. Should Bayer decline to perform testing, the third-party entity or a testing facility on their behalf must perform a study pursuant to the testing protocol identified on the website and must submit to Bayer the test data and results, along with certification that the studies were performed pursuant to the testing protocol identified on the website and that the results of the testing support adding the hooded sprayer to the list of qualified hooded sprayers for dicamba. Bayer will certify that the testing and results conform to the conditions prescribed in this protocol and, pursuant to the test conditions and results, will either post the hooded sprayer on the website at <http://XtendiMaxapplicationrequirements.com> or notify the third-party entity that the hooded sprayer did not meet the requirements for posting. Bayer will retain records related to this third-party testing of hooded sprayers and will supply these records to EPA upon their request.
17. Dicamba application requirements when using qualified hooded sprayers, the listing of qualified hooded sprayers on the <http://XtendiMaxapplicationrequirements.com> website, and the identification of the website address shall be included in educational and information materials developed by or for Bayer, including the materials identified in Appendix D, Section B(l).

Appendix A

Testing of Tank Mix Products for Spray Drift Properties

Products proposed for tank-mixing with may be added to the list of products that will not adversely affect the spray drift properties of XtendiMax with VaporGrip Technology contained on the web site if a study is performed under the testing conditions set forth below; the test information is reported as set forth below; and the results are interpreted as set forth below and the interpretation supports adding the tested product to the list of products that will not adversely affect the spray drift properties of XtendiMax with VaporGrip Technology:

Testing Conditions

Spray chamber test using conditions described in ASTM E-2798-11; or Wind Tunnel test using conditions described in EPA Final Generic Verification Protocol for Testing Pesticide Application Spray Drift Reduction Technologies for Row and Field Crops (September, 2013)

Testing Media: XtendiMax with VaporGrip Technology + XtendiMax with VaporGrip Technology Proposed Tank Mix Product

Test Nozzle: Tee Jet® TTI 11004 at 63 psi

Number of Replicates: 3 for each tested medium

Reporting

Validation information as summarized in Appendix B

Full droplet spectrum to be reported for each replicate of each tested medium

Perform AGDISP (8.26) modeling run for each replicate droplet spectrum for each tested medium (AGDISP input parameters described in Appendix C)

Establish 110 foot (0.5 lb ae/A rate) spray drift deposition estimates from AGDISP run on each replicate for each tested medium

Establish mean and standard deviation of 110 foot (0.5 lb ae/A rate) deposition for the 3 replicates of each tested medium

One-tail (upper bound) t-test ($p=Q.1$) to determine if proposed tank-mix product is statistically greater than XtendiMax with VaporGrip Technology 110 foot (0.5 lb ae/A rate) spray drift deposition.

Interpretation of Results

If mean 110 foot (0.5 lb ae/A rate) deposition for proposed tank-mix product is not statistically greater than mean 110 foot deposition for XtendiMax with VaporGrip Technology, proposed tank-mix product can be added to the list of products that will not adversely affect the spray drift properties of XtendiMax with VaporGrip Technology contained on the web site. If mean 110 foot (0.5 lb ae/A rate) deposition for proposed tank-mix product is statistically greater than mean 110 foot (0.5 lb ae/A rate) deposition for XtendiMax with VaporGrip Technology, proposed tank-mix product cannot be added to the list of products on the web site.

Results from other testing protocols will be acceptable for adding products to the list of products that will not adversely affect the spray drift properties of XtendiMax with VaporGrip Technology provided that EPA has determined in writing that such other protocol is appropriate for such purpose.

Appendix B

Validation Criteria

- a. Detailed information of instrument setting and measurements
 - The distance from the nozzle tips to the laser settings
 - Measurements of airspeed and flow rate of liquid
- b. Detailed information of test substances
 - Volume composition and density of XtendiMax with VaporGrip Technology formulation and tank mixes
- c. Summary of the entire spray output distribution for each nozzle/tank mixes with statistical analysis of replicates.
- d. Graphical outputs of Sympatec Helos laser diffraction particle size analyzer FOR individual spectrum
- e. Report of Dv0.1 (SD), Dv0.5 (SD), and DV0.9 (SD) as well as mean % fines of ($< 141\mu\text{mSD}$)

Appendix C

AGDISP Input Parameters

Parameter	Value	Comments
Application Method Section		
Method	Ground	
Nozzle Type	Flat fan (Default)	The direct use of the DSD overrides the use of “nozzle type”
Boom Pressure	63 psi	If nozzles/tank mixes were tested at 63 psi. It has to be consistent with tank mix as well as XtendiMax with VaporGrip Technology for both TeeJet® and AIXR nozzles
Release Height	3 ft	Default
Spray Lines	20	Default
Meteorology Section		
Wind Type	Single height	Default
Wind Speed	15 mph	Under bound from label
Wind Direction	-90 deg	Worst-case and default
Temperature	65 F	Default
Relative Humidity	50%	Default
Surface Section		
Angles	0	Default
Canopy	None	Default
Surface Roughness	0.12 ft	Mean of “crops” cover type
Application Technique Section		
Nozzles	54, even spacing	Standard boom setup
DSD	From wind tunnel results, imported in library	
Atmospheric stability	Strong	Default
Swath Section		
Swath width	90 ft	Standard boom
Swath displacement	0 ft	Worst-case
Spray Material Section		
Spray volume rate	10 gal/A	From label
Volatile/nonvolatile fraction	M 1768 at 1.72% v/v	To calculate volatile/nonvolatile fraction in the tank mix for the model input, provide detailed information of the tested formulations and tank mixes. See sample calculation, below ¹
¹ The tested mixture was 1.72% (v/v) XtendiMax. XtendiMax has a density of 10.2 lb/gal and contains 42.8% (w/v) dicamba DGA salt (2.9 lb acid equivalent/gal). For example, a 10-gallon batch would contain the following: XtendiMax 1.71% * 10 gal = 0.172 gal ; 0.172 gal * 10.2 lb/gal = 1.753 lb Water 10 gal (1280 fl oz) – 22 fl oz = 1258 fl oz = 82.0157 lb Total weight 1.753 lb + 82.016 lb = 83.769 lb Active ingredient fraction: 1.753 lb * 42.8% a.i. = 0.75 lb; 0.75 lb/83.769 lb = 0.00896 (dimensionless) Non-volatile fraction: 0.00896/0.428 = 0.021 (dimensionless)		

Appendix D

HERBICIDE RESISTANCE MANAGEMENT PLAN

Bayer must develop a herbicide resistance management plan that includes all of the following elements: *(ADD TEXT HERE)*

Appendix E

Testing of Tank Mix Volatility-Reduction Adjuvants/Buffering Adjuvants Properties

Products proposed as [volatility-reduction adjuvants/buffering adjuvants] may be added to the list of approved products on <http://XtendiMaxapplicationrequirements.com> website if found, based upon such testing, that the Test Mixture results in a humidome airborne dicamba concentration are comparable to or less than the established Testing Standard as defined below.

Testing Conditions

Humidome test using conditions based on ASTM STP1587*, such as those outlined below. Testing is not required to be performed to GLP standards, but are expected to be well documented and validated, with associated record retention for potential future reference.

Testing Standard: [Dicamba Product] + Roundup PowerMAX + VaporGrip Xtra or Sentris
(0.5 lb a.e./A + 1.125 lb a.e. glyphosate/A + XXX use rate)

Test Mixture: [Dicamba Product] + Roundup PowerMAX + Buffering Adjuvant
(0.5 lb a.e. dicamba/A + 1.125 lb a.e. glyphosate/A + XXX use rate)

Water carrier rate: 15 GPA

Normal plastic humidome as specified in ASTM STP1587

Treated substrate: soil/soil blend as specified in ASTM STP1587 with 12-22% moisture

Temperature: $35 \pm 5^\circ \text{C}$

Relative humidity: $40 \pm 5\% \text{ RH}$

Sample collection duration: 24 hours

Air sampling rate: 1.5-3.0 L/min

Air sampling filter: any substrate validated to capture >95% of dicamba (*e.g.*, fiberglass mesh + cotton pad, cellulose + PUF, MCE)

Replications: 3 minimum

Analysis: A one-tail (upper-bound) t-test ($\alpha = 0.10$) performed for all test mixtures relative to testing standard.

Passing result: If the Test Mixture mean was not statistically greater than that of the Testing Standard, then the [volatilityreduction adjuvant/buffering adjuvant] in the Test Mixture demonstrated the ability to reduce volatility equivalent to or better than that of [VaporGrip Xtra/Sentris].

* Gavlick, W.K., D.R. Wright, A. MacInnes, J.W. Hemminghaus, J.K. Webb, V.I. Yermolenka, W. Su. 2016. A Method to Determine the Relative Volatility of Auxin Herbicide Formulations, Pesticide Formulation and Delivery Systems: 35th Volume, ASTM STP1587. pp. 24-32G. R. Goss, Ed. ASTM International, West Conshohocken, PA.

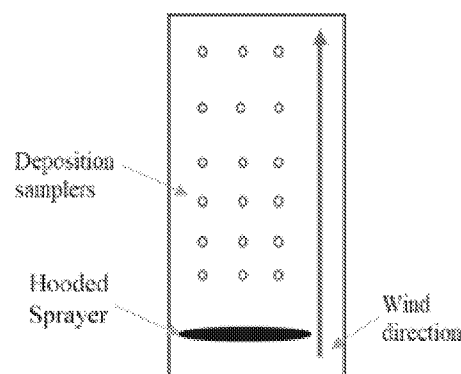
Appendix F

Protocol for Testing of Hooded Sprayers to Qualify for Reduced Downwind Spray Buffer Distances when Applying XtendiMax with VaporGrip Technology

Hooded sprayers proposed for in-crop (over-the-top) dicamba applications may be added to the list of qualified hooded sprayers on <http://XtendiMaxapplicationrequirements.com> website if found, based upon such testing, that it reduces the spray drift of dicamba to a level that is equivalent to or less than that from the established baseline hooded sprayer as defined below.

Testing Conditions

Testing is to be conducted in an Ambient Breeze Tunnel (ABT) controlled environment wind tunnel using the conditions outlined below, with guidance from US EPA (2016)¹. A section of a hooded sprayer must be placed in the tunnel with the boom length perpendicular to the wind direction. Absorbent pads must line the floor of the ABT to prevent droplet bounce. Dicamba deposition samples must be collected at pre-determined distances downwind from the sprayer. After a 2-minute clear-out period, samples must be retrieved from the farthest to the closest distances relative to the sprayer for subsequent residue analysis to quantify dicamba deposition. Testing conditions are established herein with the express purpose of producing and comparing drift deposition curves between a baseline and a proposed hooded sprayer and are therefore not intended to be representative of field conditions.



Testing is not required to be performed to GLP standards but is expected to be well-documented and validated, with associated record retention for potential future reference. Results of testing must include a certification indicating whether the study was performed pursuant to this protocol and any deviations from it, and a conclusion stating whether the product tested meets the Passing Result criterion specified below.

Spray components: Clarity[®] + Induce
(0.5 lb a.e./A + 0.25% v/v)

Baseline hooded sprayer: RedBall[®] 642E

Hooded sprayer tested: TBD

Boom Configuration: Contain a minimum of 4 nozzles with spacing according to manufacturer's use directions; fixed position; length perpendicular to wind direction; rear curtain of hood 3 inches above a simulated crop and, at the same boom height, above bare ground

¹ United States Environmental Protection Agency. 2016. Generic Verification Protocol for Testing Pesticide Application Spray Drift Reduction Technologies for Row and Field Crops

Nozzle/pressure:	TT 11003 at 50 psi
Spray rate:	15 GPA
Spray duration:	30 seconds
Wind speed:	Minimum 10 mph
Temperature:	10-35°C
Humidity:	20-80%
Deposition samplers:	Filter paper on blocks 3-in above ground
Number of samplers:	Minimum 3 at each downwind distance
Sampler distances:	Minimum 6 downwind distances for analysis purposes; distances should follow a geometric distribution (<i>e.g.</i> , 2, 4, 8, 20, 30, 60, and 120 feet) and cover out to 120 feet but may vary based on study considerations.
Drift simulations:	Minimum 3 per hooded sprayer
Analytical analysis:	Conducted per latest version of analytical method ME-1871 or another validated method ¹
Analysis:	Appropriate non-linear and/or generalized linear models will be fit to the drift deposition measurements of each hooded sprayer evaluated. After an appropriate model is selected, deposition estimates will be made at 2, 4, 8, 20, 30, 60, and 120 feet for both the baseline and proposed hooded sprayer. The boom orientation (crop canopy or bare ground) that gives the highest overall deposition for the baseline sprayer will be used for analysis. Deposition for the baseline hooded sprayer must be determined for each day's test in the ABT.
Passing result:	If a comparison of the deposition values for the proposed hooded sprayer to the baseline hooded sprayer at 20 feet, using a one-tailed t-test (assuming equal variances, upper bound, alpha=0.10), is not statistically different, then the proposed hooded sprayer functions equivalent to the baseline hooded sprayer.

¹ A study conducted with a validated analytical method other than ME-1871 must be accompanied with a report containing the environmental chemistry method, describing in full the analytical method that was used and validated, as well as an independent laboratory validation of the method.